

## REMARKS

Claims 1-44 have previously been canceled.

Claims 46-68 were previously presented and rejected by the Examiner.

Claims 46-68 remain pending, and Applicant respectfully requests the Examiner to reconsider the claims in view of the remarks to follow.

Amendments are offered herewith for claim 58 to correct a number of previously undetected informalities. The amendments are not entered to overcome the prior art, and the amendments do not introduce new matter.

### Rejection under 35 U.S.C. 102(e)

Claims 45-68 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,285,983, to Jenkins ("*Jenkins*"). Applicant respectfully traverses these rejections.

To establish a *prima facie* case of anticipation under 35 U.S.C § 102, the Examiner must identify where **"each and every facet of the claimed invention is disclosed in the applied reference"** *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1462 (Bd. Pat. App. & Interf. 1990), see also *Electro Med. Sys. S.A. v. Cooper Life Sciences*, 34 F.3d 1048, 1052, 32 U.S.P.Q.2d 1017, 1019 (Fed. Cir. 1994).

### Claim 45

The required "receiving" operation requires the device practicing the claimed method to receive a request from a first server of a first service provider for registration information for a user of the device, with the requested registration information including one or more personality characteristics. Neither server 24 nor server 22 of Jenkins was described as performing such 'receiving' operation. Col. 4, lines 54-57 merely teaches server 22 accessing data repositories maintained by consumer data collection companies (see Col. 4, lines 41-43) to retrieve consumer

data. There is no teaching or suggestion of server 22 receiving any request for registration information from a server of a service provider.

The required "generating" operation requires the device practicing the claimed method to generate or cause another device to generate a personality profile to portray a desired persona based at least in part on a service provided by the first service provider. Neither server 24 nor server 22 of Jenkins was taught or suggested as performing such "generating" operation. Col. 4, lines 61-63 merely teaches server 22 cleaning up, aggregating and abstracting disparate data sets 40 to create more uniformly-formatted individual records. There is no disclosure teaching or suggesting that any of these more uniformly-formatted individual records are to be processed based on the service provided by the service provider requesting for registration information.

Accordingly, Claim 45 is clearly patentable over Jenkins.

#### Claims 52 and 58

Claims 52 and 58 contain in substance the same required elements of claim 45. Accordingly for at least the same reasons, Claims 52 and 58 are patentable over Jenkins.

#### Claim 64

Claim 64 requires a storage medium having instructions designed to enable the claimed apparatus to provide a personality profile for a user of a client device for use to register the user with a service provider, based at least in part on a service provided by the service provider. Thus, for at least the same reasons discussed earlier with respect to the "generating" element of Claim 45, the element is not taught or suggested by Jenkins. Therefore, Claim 64 is patentable over Jenkins.

Claims 46-51, 53-57 and 65-68

Claims 46-51, 53-57 and 65-68 depend on independent claims 45, 52 and 64, incorporating their limitations, respectively. Therefore, for at least the same reasons, claims 46-51, 53-57 and 65-68 are patentable over *Jenkins* under sec 102(e).

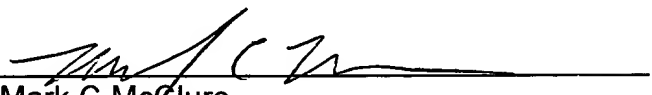
Conclusion

In view of the foregoing, Applicant submits claims 45-68 are in condition for allowance. Earlier issuance of Notice of Allowance is earnestly solicited.

Please charge deposit account No. 500393, if there is any deficiency in fees required for the filing, and likewise credit the same account for any excess payment of fees.

Respectfully submitted,  
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